

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 04-80993

LEARAW JONES,

Defendant.

**OPINION AND ORDER DECLINING TO MODIFY SENTENCE
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

The matter is before the court on a determination for a possible reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2). The court appointed the Federal Defender's Office "to determine eligibility, confer with the Probation Department and the U.S. Attorney's Office, and gather the pertinent information to assist the court in expeditiously resolving any pending or intended 18 U.S.C. § 3582(c) motions." (4/21/08 Order at 1.) The Federal Defender's Office has since submitted a letter indicating that no motions would be filed on behalf of Defendant Jones. (See Dkt. # 35.) In light of counsel's assertion, the court is satisfied that Defendant is ineligible for a modification. Accordingly,

IT IS ORDERED that the court DECLINES to modify Defendant's sentence pursuant to 18 U.S.C. § 3582(c) and the matter is deemed closed.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: April 10, 2009

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, April 10, 2009, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522